

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**ENTERED**  
November 18, 2024  
Nathan Ochsner, Clerk

MARTIN LAVELL MOMOH

Plaintiff,

v.

J. CARRASCO,

Defendant.

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CIVIL ACTION NO. 2:23-CV-148

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation (M&R). (D.E. 23). The M&R recommends that the Court grant Defendant's motion for summary judgment and dismiss the case. *Id.* at 11.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R.<sup>1</sup> *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

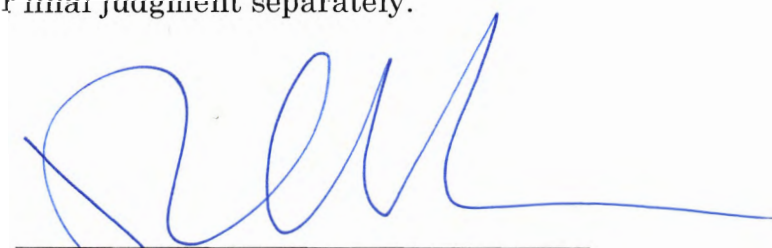
Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and

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<sup>1</sup> A copy of the M&R mailed to Plaintiff was returned as unclaimed. (D.E. 25). Since then, the Court has waited an appropriate amount of time for an updated address. As a party, Plaintiff is required to keep the Court apprised of his current address. LOCAL RULE 83.4. He has failed to do so. Additionally, the Court notes that Plaintiff did not respond to Defendant's motion for summary judgment. Plaintiff has been aware of this pending motion since, at the latest, June 5, 2024. *See* (D.E. 20, p. 5).

finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 23). Accordingly, the Court **GRANTS** Defendant's motion for summary judgment, (D.E. 18), and **DISMISSES with prejudice** this cause of action, (D.E. 1). The Court will enter final judgment separately.

SO ORDERED.



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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas  
November 18<sup>th</sup>, 2024